Los Angeles County Sheriff's Department

Supervisor's Report on Use of Force

Incident Information

URN: 0 0 9 - 1 1 1 2 7 - 2 6 1 0 - 0 5 5 | Date: 6/24/09 | Time: 2300

Location: [redacted] 5th Street East | City or Station: Palmdale

Bureau/Station/Facility: Operation Safe Streets - Palmdale Station | Admin. Investigation: YES ☐ NO ☒

Type of Force: Controlled holds, kicking, punching, flashlight strikes and jabs.

Deputy Injury: YES ☐ NO ☒ | Suspect Injury YES ☒ NO ☐

☐ Call ☒ Observation ☐ Detail | ☐ Foot Pursuit ☐ Vehicle Pursuit

IAB Notified: YES ☒ NO ☐ Person Notified: Lt Scott Brickert Emp: [redacted] IAB Roll Out: YES ☒ NO ☐

Involved Employee

E1

Employee #	Last Name	First Name	Middle Name
[redacted]	Wilson	Russell	B.

Sex	Race	Unit of Assignment	Work Assignment (Unit #, Module, etc.)
☒ Male ☐ Female	W	OSS - Palmdale Station	Supervisor - Unit #26GS

Shift		Age	Height	Weight
☐ EM ☐ Day ☒ PM	☒ Regular Shift ☐ OT Shift ☐ Off Duty	[redacted]	[redacted]	[redacted]

☐ Injured ☐ Treated ☐ Admitted Hospital: ______ | Coroner Case # | Directed Force ☐ Significant Force ☒

E2

Employee #	Last Name	First Name	Middle Name
[redacted]	Barragan	Edwin	

Sex	Race	Unit of Assignment	Work Assignment (Unit #, Module, etc.)
☒ Male ☐ Female	H	OSS - Palmdale Station	Detective - Unit #260G5

Shift		Age	Height	Weight
☐ EM ☐ Day ☒ PM	☒ Regular Shift ☐ OT Shift ☐ Off Duty	[redacted]	[redacted]	[redacted]

☐ Injured ☐ Treated ☐ Admitted Hospital: ______ | Coroner Case # | Directed Force ☐ Significant Force ☐

E3

Employee #	Last Name	First Name	Middle Name
[redacted]	[redacted]	[redacted]	[redacted]

Sex	Race	Unit of Assignment	Work Assignment (Unit #, Module, etc.)
☒ Male ☐ Female	W	GET - Palmdale Staion	GET Deputy

Shift		Age	Height	Weight
☐ EM ☐ Day ☒ PM	☒ Regular Shift ☐ OT Shift ☐ Off Duty	[redacted]	[redacted]	[redacted]

☐ Injured ☐ Treated ☐ Admitted Hospital: ______ | Coroner Case # | Directed Force ☐ Significant Force ☒

☐ Additional Involved Employees

On Duty Supervisor

Emp. #	Last Name	First Name	Middle Name	Rank	Present	Witness to Incident
[redacted]	Wilson	Russell	B.	Sgt.	YES ☒ NO ☐	YES ☒ NO ☐
					YES ☐ NO ☐	YES ☐ NO ☐

Watch Sergeant

Emp. #	Last Name	First Name	Middle Name

Watch Commander

Emp. #	Last Name	First Name	Middle Name
[redacted]	Clay	Paul	A.

Watch Commander (**Print Name**) | Watch Commander's **Signature**: | Emp #: | Date

IAB Sgt Owen Tong | [redacted]

Supervisor Completing Form: (**Print Name**) | Emp #: | Copy Provided to Employee by: | Emp #:

Unit Commander (**Print Name**) | Unit Commander's **Signature**: | Emp #: | Date

DISCOVERY Use Only
FO# 2239271

Original: Discovery Unit
Copy: Unit Commander

SH-R-438P (Rev. 12/07)

Supervisor's Report on Use of Force
INVOLVED EMPLOYEE - Continuation
0 0 9 - 1 1 1 2 7 - 2 6 1 0 - 0 5 5

Involved Employee

E 4

Employee #	Last Name	First Name	Middle Name
[redacted]	[redacted]		

Sex	Race	Unit of Assignment	Work Assignment (Unit #, Module, etc.)
☒ Male ☐ Female	W	GET - Palmdale Staion	GET Deputy

Shift		Age	Height	Weight
☐ EM ☐ Day ☒ PM	☒ Regular Shift ☐ OT Shift ☐ Off Duty	[redacted]	[redacted]	[redacted]

	Hospital	Coroner Case #	
☐ Injured ☐ Treated ☐ Admitted			Directed Force ☐ Significant Force ☒

E 5

Employee #	Last Name	First Name	Middle Name
[redacted]	Delia	Anthony	J.

Sex	Race	Unit of Assignment	Work Assignment (Unit #, Module, etc.)
☒ Male ☐ Female	H	OSS - Palmdale Station	Detective - Unit #260G1

Shift		Age	Height	Weight
☐ EM ☐ Day ☒ PM	☒ Regular Shift ☐ OT Shift ☐ Off Duty	[redacted]	[redacted]	[redacted]

	Hospital	Coroner Case #	
☐ Injured ☐ Treated ☐ Admitted			Directed Force ☐ Significant Force ☒

E 6

Employee #	Last Name	First Name	Middle Name
[redacted]	[redacted]		

Sex	Race	Unit of Assignment	Work Assignment (Unit #, Module, etc.)
☒ Male ☐ Female	W	OSS - Palmdale Station	Detective - Unit #260G1

Shift		Age	Height	Weight
☐ EM ☐ Day ☒ PM	☒ Regular Shift ☐ OT Shift ☐ Off Duty	[redacted]	[redacted]	[redacted]

	Hospital	Coroner Case #	
☐ Injured ☐ Treated ☐ Admitted			Directed Force ☐ Significant Force ☒

E__

Employee #	Last Name	First Name	Middle Name

Sex	Race	Unit of Assignment	Work Assignment (Unit #, Module, etc.)
☐ Male ☐ Female			

Shift		Age	Height	Weight
☐ EM ☐ Day ☐ PM	☐ Regular Shift ☐ OT Shift ☐ Off Duty			

	Hospital	Coroner Case #	
☐ Injured ☐ Treated ☐ Admitted			Directed Force ☐ Significant Force ☐

E__

Employee #	Last Name	First Name	Middle Name

Sex	Race	Unit of Assignment	Work Assignment (Unit #, Module, etc.)
☐ Male ☐ Female			

Shift		Age	Height	Weight
☐ EM ☐ Day ☐ PM	☐ Regular Shift ☐ OT Shift ☐ Off Duty			

	Hospital	Coroner Case #	
☐ Injured ☐ Treated ☐ Admitted			Directed Force ☐ Significant Force ☐

Supervisor's Report on Use of Force
SUSPECT INFORMATION
009-11127-2610-055

Suspect Information

S 1

Last Name: Salomon	First Name: Alfredo	Middle Name: Jose
AKA Last Name:	First Name: Danger	Middle Name:

Sex: ☒ Male ☐ Female | Race: H | Street Address: Transient (was staying with sister at [redacted] | City: --- | State & Zip Code: CA

Work Phone: --- | Home Phone: --- | Age: 36 | Height: 508 | D.O.B. 01-25-74 | Weight: 180 | Armed? ☒

Booking #: 1959160 | Primary Charge Code: 664PC/187PC | Secondary Charge Code: 12021(b)PC; 12025PC(b); 11378HS | Criminal History ☒

EMT in attendance? ☐ YES ☒ NO Name: ______ Unit: ______ Phone #: ______

Hospital Admission? ☐ Rec'd Treatment At: Antelope Valley Hospital | Coroner Case #: --- | Mental History ☐

By Doctor: ER Dr. Uner | Address: 1600 Avenue J, Lancaster CA 93534 | Phone #: (661) 949-5000

Under Influence: ☐ YES ☒ NO | Substance: Drank one beer | Mental Illness ☐

Date: Declined | Time: | Audiotape: ☐ | Videotape: ☐ | Photos of Injuries: ☐

Suspect Information

S__

Last Name:	First Name:	Middle Name:
AKA Last Name:	First Name:	Middle Name:

Sex: ☐ Male ☐ Female | Race: | Street Address: | City: | State & Zip Code:

Work Phone: | Home Phone: | Age: | Height: | D.O.B. | Weight: | Armed? ☐

Booking #: | Primary Charge Code: | Secondary Charge Code: | Criminal History ☐

EMT in attendance? ☐ YES ☐ NO Name: ______ Unit: ______ Phone #: ______

Hospital Admission? ☐ Rec'd Treatment At: ______ Coroner Case #: ______ Mental History ☐

By Doctor: ______ Address: ______ Phone #: ______

Under Influence: ☐ YES ☐ NO Substance: ______ Mental Illness: ☐

Date: | Time: | Audiotape: ☐ | Videotape: ☐ | Photos of Injuries: ☐

Suspect Information

S__

Last Name:	First Name:	Middle Name:
AKA Last Name:	First Name:	Middle Name:

Sex: ☐ Male ☐ Female | Race: | Street Address: | City: | State & Zip Code:

Work Phone: | Home Phone: | Age: | Height: | D.O.B. | Weight: | Armed? ☐

Booking #: | Primary Charge Code: | Secondary Charge Code: | Criminal History ☐

EMT in attendance? ☐ YES ☐ NO Name: ______ Unit: ______ Phone #: ______

Hospital Admission? ☐ Rec'd Treatment At: ______ Coroner Case #: ______ Mental History ☐

By Doctor: ______ Address: ______ Phone #: ______

Under Influence: ☐ YES ☐ NO Substance: ______ Mental Illness ☐

Date: | Time: | Audiotape: ☐ | Videotape: ☐ | Photos of Injuries: ☐

☐ Additional Suspects Involved

Supervisor's Report on Use of Force
EMPLOYEE / NON-EMPLOYEE INFORMATION
0 0 9 - 1 1 1 2 7 - 2 6 1 0 - 0 5 5

Employee Witnesses

Emp. #	Last Name	First Name	Middle Name
[redacted]	O'Neal	Richard	S.

Non-Employee Witnesses

Last Name	First Name	Middle Name	Age	D.O.B.
[redacted]	[redacted]	---	34	[redacted]
Street Address	City	Zip Code	Work Ph.	Home Ph.
[redacted]	[redacted]	[redacted]	---	[redacted]
Last Name	First Name	Middle Name	Age	D.O.B.
[redacted]	[redacted]	[redacted]	25	[redacted]
Street Address	City	Zip Code	Work Ph.	Home Ph.
[redacted]	[redacted]	[redacted]	---	[redacted]
Last Name	First Name	Middle Name	Age	D.O.B.
Street Address	City	Zip Code	Work Ph.	Home Ph.
Last Name	First Name	Middle Name	Age	D.O.B.
Street Address	City	Zip Code	Work Ph.	Home Ph.
Last Name	First Name	Middle Name	Age	D.O.B.
Street Address	City	Zip Code	Work Ph.	Home Ph.
Last Name	First Name	Middle Name	Age	D.O.B.
Street Address	City	Zip Code	Work Ph.	Home Ph.
Last Name	First Name	Middle Name	Age	D.O.B.
Street Address	City	Zip Code	Work Ph.	Home Ph.
Last Name	First Name	Middle Name	Age	D.O.B.
Street Address	City	Zip Code	Work Ph.	Home Ph.
Last Name	First Name	Middle Name	Age	D.O.B.
Street Address	City	Zip Code	Work Ph.	Home Ph.

☐ Additional Witness

Method

(AW) Arwen
(BC) Baton: (Control)
(BI) Baton: (Impact)
(BF) Bodily Fluids
(CN) Canine
(CR) Carotid Restraint
(CH) Choke Hold
(CT) Control Holds: (Control Techniques)
(TT) Control Holds: (Team Takedown)
(TD) Control Holds: (Takedown)
(CE) Chemical
(OC) Chemical Agents (OC Spray)
(TG) Chemical Agents (Tear Gas)
(EX) Explosives
(FH) Firearm (Handgun)
(FR) Firearm (Rifle)
(FS) Firearm (Shotgun)
(FO) Firearm (Other)
(FB) Flashbang
(FL) Flashlight
(OE) Other Weapon: Edged
(OV) Other Weapon: Vehicle
(OB) Other Weapon: Blunt Object
(OO) Other Weapon: Other
(PK) Personal Weapon: Feet/Leg: (Kick)
(PS) Personal Weapon: Feet/Leg: (Sweep)
(PH) Personal Weapon (Hand/Arm)
(PP) Personal Weapon (Push)
(PO) Personal Weapon (Other)
(RS) Resistance
(CN) Restraint Device (Capture Net)
(RH) Restraint Device (Handcuffs)
(HB) Restraint Device: Hobble (Legs Only)
(TP) Restraint Device: Hobble (TARP)
(RE) Restraint Device: REACT Belt
(SP) Sap
(SH) Shield
(SG) 37mm Stinger
(SB) Sting Ball
(ST) Stun Bag
(TR) Taser
(UC) Uncooperative

Type of Injury

(AB) Abrasion
(BR) Bruise
(BU) Burn
(CP) Complaint of Pain
(CO) Concussion
(DH) Death
(DI) Dislocation
(DB) Dog Bite
(FR) Fractures
(GS) Gunshot
(HB) Human Bite
(LC) Lacerations
(ND) Nerve Damage
(OD) Organ Damage
(PA) Paralysis
(PW) Puncture Wound
(SD) Soft Tissue Damage
(ST) Sprain/Twists
(UN) Unconscious
(RM) Refused Med Treatment
(NN) NONE

Body Part Injured

(AD) Abdomen
(AK) Ankle
(AR) Arm
(BK) Back
(BT) Buttocks
(CH) Chest
(EL) Elbow
(FA) Face
(FE) Feet
(FI) Fingers
(GE) Genitals
(GR) Groin
(HD) Hands
(HE) Head
(HI) Hip
(IN) Internal
(KN) Knees
(LE) Leg
(NK) Neck
(NO) Nose
(SH) Shoulder
(WR) Wrist

FORCE USED BY		FORCE USED AGAINST		Method (Code)	Type of Injury (Code)	Body Part (Code)
Name	E# or S#	Name	E# or S#			
Alfredo Salomon	S #1	[redacted]	E #4	PK; UC; RS	NN	---
Alfredo Salomon	S#1	Russell Wilson	E #1	PK; UC; RS	NN	---
Russell Wilson	E #1	Alfredo Salomon	S #1	CT	---	---
Russell Wilson	E #1	Alfredo Salomon	S #1	PK	FR	LE
Edwin Barragan	E #2	Alfredo Salomon	S #1	CT; TT; RH	FR; BR	NO
[redacted]	E #3	Alfredo Salomon	S #1	CT; TT	FR; BR	NO
[redacted]	E #3	Alfredo Salomon	S #1	CR	---	---
[redacted]	E #3	Alfredo Salomon	S #1	PH	FR; BR	FA
[redacted]	E #4	Alfredo Salomon	S #1	CT	---	---
[redacted]	E #4	Alfredo Salomon	S #1	FL	FR; BR	AK; LE
Anthony Delia	E #5	Alfredo Salomon	S #1	CT; TT; RH	FR; BR	NO
Anthony Delia	E #5	Alfredo Salomon	S #1	PH	---	---
[redacted]	E #6	Alfredo Salomon	S #1	FL	BR	EL; KN; AD

INTERNAL AFFAIRS BUREAU
INVESTIGATIVE INQUIRY

Use of Force Rollout (Suspect Alfredo Salomon)
OSS - Palmdale Station

CASE NUMBER: IAB #FO2239271

INVOLVED EMPLOYEES:
1. Sergeant Russell Wilson [redacted]
2. Detective Edwin Barragan [redacted]
3. Detective Anthony Delia [redacted]
4. Detective [redacted] [redacted]
5. Deputy [redacted] [redacted]
6. Deputy [redacted] [redacted]

WITNESS EMPLOYEES: Detective Richard O'Neal [redacted]

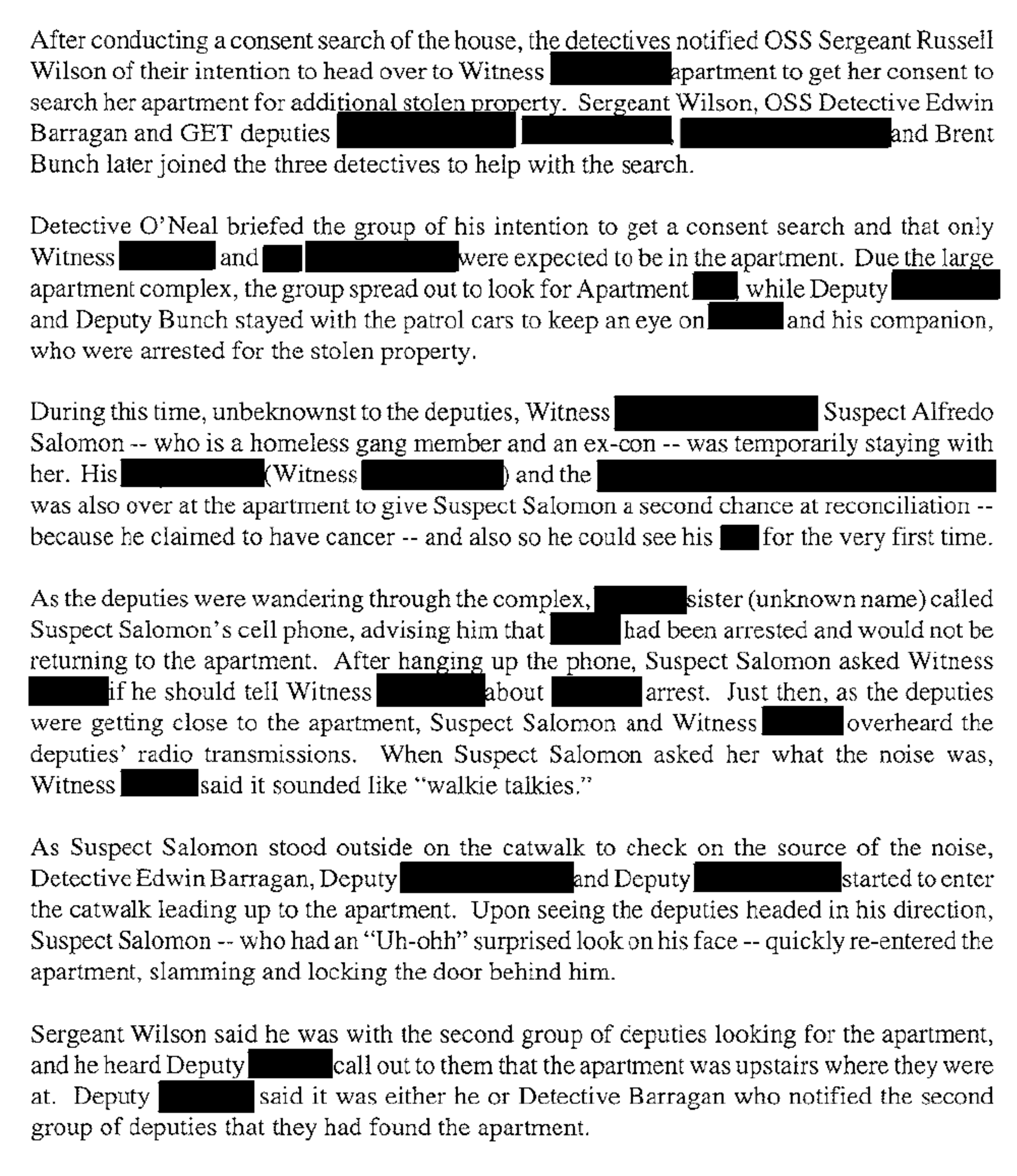
INVESTIGATOR: Sergeant Scott Hill [redacted]
Assisted by Sergeant Owen Tong [redacted]

DATE/DAY/TIME: June 24, 2009 / Wednesday / 2300 hours
LOCATION: [redacted] 5th Street East, [redacted], Palmdale, CA 93550

Inquiry Summary:

On June 24, 2009, Palmdale OSS Detectives Richard O'Neal and Anthony Delia received information from Palmdale Station detectives regarding a recent burglary at a Target store. The OSS detectives recognized the suspect on the video surveillance and photograph as [redacted] a person whom they stopped the night before.

Detectives O'Neal, Delia and [redacted] headed over to [redacted] residence [redacted] and found [redacted] and another male gang member seated out front in his parked vehicle. The detectives detained the two, searched their vehicle and found several small electronic items -- possibly taken from the Target theft -- along with a large quantity of baseball cards. [redacted] informed the detectives that he occasionally stays with his [redacted] (Witness [redacted]) and their [redacted] at [redacted] apartment.



After conducting a consent search of the house, the detectives notified OSS Sergeant Russell Wilson of their intention to head over to Witness [redacted] apartment to get her consent to search her apartment for additional stolen property. Sergeant Wilson, OSS Detective Edwin Barragan and GET deputies [redacted] [redacted], [redacted] and Brent Bunch later joined the three detectives to help with the search.

Detective O'Neal briefed the group of his intention to get a consent search and that only Witness [redacted] and [redacted] [redacted] were expected to be in the apartment. Due the large apartment complex, the group spread out to look for Apartment [redacted], while Deputy [redacted] and Deputy Bunch stayed with the patrol cars to keep an eye on [redacted] and his companion, who were arrested for the stolen property.

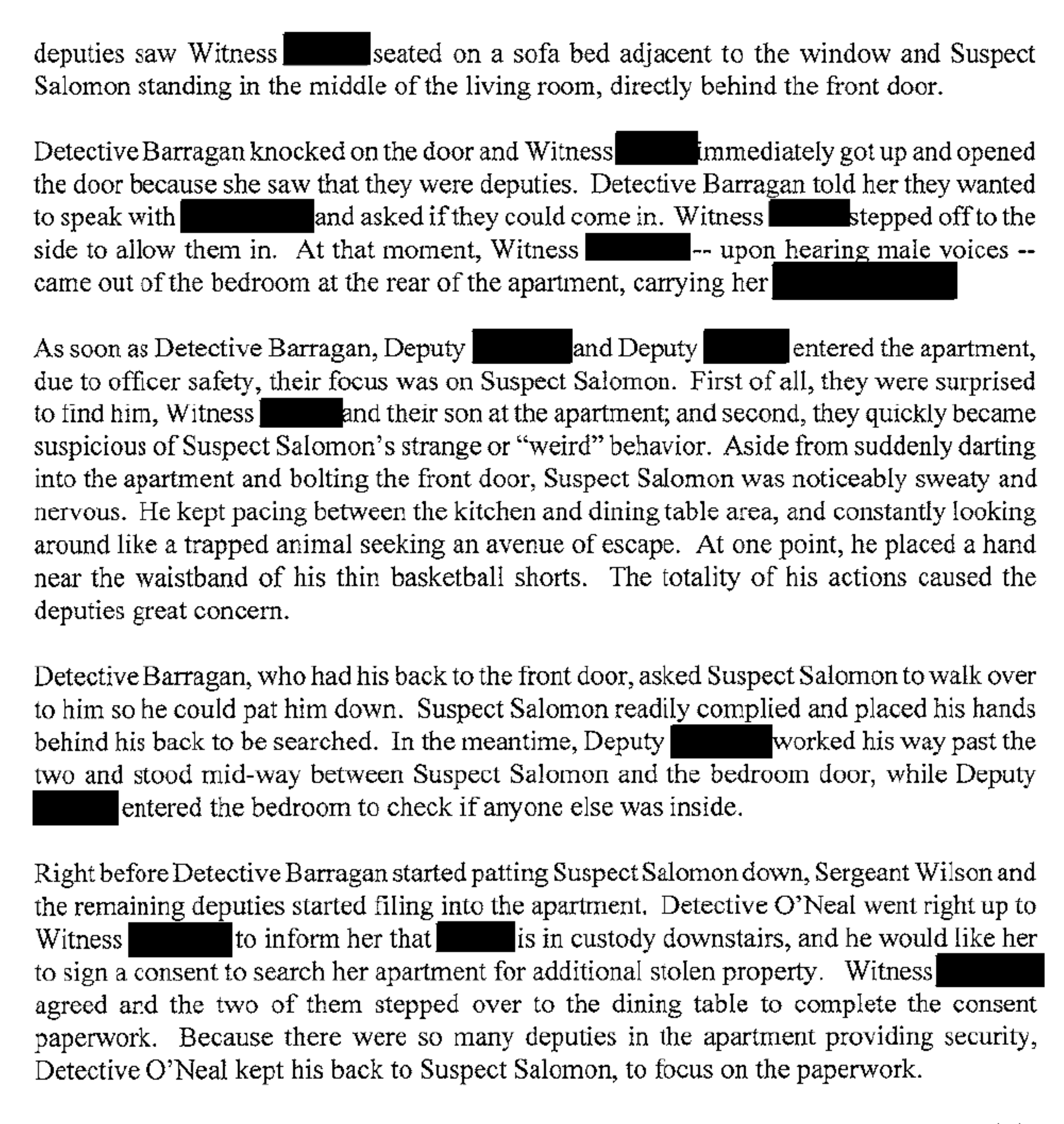
During this time, unbeknownst to the deputies, Witness [redacted] Suspect Alfredo Salomon -- who is a homeless gang member and an ex-con -- was temporarily staying with her. His [redacted] (Witness [redacted]) and the [redacted] was also over at the apartment to give Suspect Salomon a second chance at reconciliation -- because he claimed to have cancer -- and also so he could see his [redacted] for the very first time.

As the deputies were wandering through the complex, [redacted] sister (unknown name) called Suspect Salomon's cell phone, advising him that [redacted] had been arrested and would not be returning to the apartment. After hanging up the phone, Suspect Salomon asked Witness [redacted] if he should tell Witness [redacted] about [redacted] arrest. Just then, as the deputies were getting close to the apartment, Suspect Salomon and Witness [redacted] overheard the deputies' radio transmissions. When Suspect Salomon asked her what the noise was, Witness [redacted] said it sounded like "walkie talkies."

As Suspect Salomon stood outside on the catwalk to check on the source of the noise, Detective Edwin Barragan, Deputy [redacted] and Deputy [redacted] started to enter the catwalk leading up to the apartment. Upon seeing the deputies headed in his direction, Suspect Salomon -- who had an "Uh-ohh" surprised look on his face -- quickly re-entered the apartment, slamming and locking the door behind him.

Sergeant Wilson said he was with the second group of deputies looking for the apartment, and he heard Deputy [redacted] call out to them that the apartment was upstairs where they were at. Deputy [redacted] said it was either he or Detective Barragan who notified the second group of deputies that they had found the apartment.

Since the living room window to the left of the front door was open and the lace-type curtains were partially parted, the deputies could see in and the people inside could see out. The



deputies saw Witness [redacted] seated on a sofa bed adjacent to the window and Suspect Salomon standing in the middle of the living room, directly behind the front door.

Detective Barragan knocked on the door and Witness [redacted] immediately got up and opened the door because she saw that they were deputies. Detective Barragan told her they wanted to speak with [redacted] and asked if they could come in. Witness [redacted] stepped off to the side to allow them in. At that moment, Witness [redacted] -- upon hearing male voices -- came out of the bedroom at the rear of the apartment, carrying her [redacted]

As soon as Detective Barragan, Deputy [redacted] and Deputy [redacted] entered the apartment, due to officer safety, their focus was on Suspect Salomon. First of all, they were surprised to find him, Witness [redacted] and their son at the apartment; and second, they quickly became suspicious of Suspect Salomon's strange or "weird" behavior. Aside from suddenly darting into the apartment and bolting the front door, Suspect Salomon was noticeably sweaty and nervous. He kept pacing between the kitchen and dining table area, and constantly looking around like a trapped animal seeking an avenue of escape. At one point, he placed a hand near the waistband of his thin basketball shorts. The totality of his actions caused the deputies great concern.

Detective Barragan, who had his back to the front door, asked Suspect Salomon to walk over to him so he could pat him down. Suspect Salomon readily complied and placed his hands behind his back to be searched. In the meantime, Deputy [redacted] worked his way past the two and stood mid-way between Suspect Salomon and the bedroom door, while Deputy [redacted] entered the bedroom to check if anyone else was inside.

Right before Detective Barragan started patting Suspect Salomon down, Sergeant Wilson and the remaining deputies started filing into the apartment. Detective O'Neal went right up to Witness [redacted] to inform her that [redacted] is in custody downstairs, and he would like her to sign a consent to search her apartment for additional stolen property. Witness [redacted] agreed and the two of them stepped over to the dining table to complete the consent paperwork. Because there were so many deputies in the apartment providing security, Detective O'Neal kept his back to Suspect Salomon, to focus on the paperwork.

As Detective Barragan held Suspect Salomon's hands with his left hand, he used his right hand to pat down the right side of Suspect Salomon's body. In an apparent attempt to distract Detective Barragan and stop him from finding a weapon in his crotch area, Suspect Salomon kept turning and twisting his body away from Detective Barragan's searching hands, asking Detective Barragan what this was all about.

Due to Suspect Salomon's sweaty hands and the constant twisting of his body, Detective Barragan's grip started to slide off of his hands as he finished patting down the right side. Detective Barragan then grabbed the hands with his right hand so he could pat down Suspect Salomon's left side with his left hand.

When Detective Barragan patted Suspect Salomon's left inner thigh and crotch area, he felt a "hard object" and asked him what that was. A moment later, Detective Barragan informed the other deputies that he believed it's a gun. Just as Deputy [redacted] walked out of the bedroom, Suspect Salomon began pulling forward and twisting his body to break free of Detective Barragan's hold.

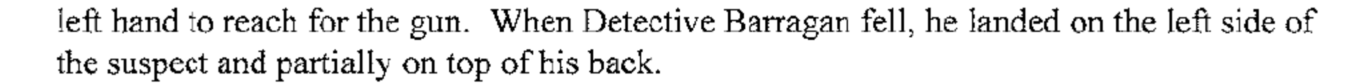
Detective Barragan had to let go of the gun and grabbed each the suspect's wrists with his hands to keep him from getting to the gun. During the struggle, the suspect turned and spit on Detective Barragan. He then pulled his right elbow forward to break his right arm free, causing Detective Barragan to lose part of his balance.

Upon seeing this, Deputy [redacted] stepped forward to grab the back of Suspect Salomon's head and upper body to force it downward. Detective Delia, seeing that Detective Barragan and Deputy [redacted] were unable to control the suspect, went up to Detective Barragan's left side to push down on the back of the suspect's neck and upper body. Sergeant Wilson, who was standing behind Detective Barragan told them to take the suspect down to the floor to better contain his movements.

Detective Barragan, Detective Delia and Deputy [redacted] did a team takedown, and Suspect Salomon landed with his face and stomach on the carpet. As soon as the suspect hit the floor, he began cursing, thrashing and kicking violently, repeatedly telling the deputies to get off of him, that he was going to kill them. Suspect Salomon had both arms locked underneath his body, by his waist band.

When the takedown started, Detective O'Neal escorted Witness [redacted] and her [redacted] into the bedroom for safety and closed the door behind them. They stayed in the bedroom until the paramedics took Suspect Salomon away to the hospital. Simultaneously, for Witness [redacted] safety, Sergeant Wilson told her to step outside to the catwalk. Witness [redacted] complied, taking her [redacted] with her. Witness [redacted] said afterwards that although she was next to the front door, she kept busy "entertaining" her [redacted] and she never peeked in to watch the fight.

During the takedown, Detective Barragan lost his hold of the suspect's right wrist, however, he was able to maintain his grip on the left wrist, thus preventing the suspect from using his



left hand to reach for the gun. When Detective Barragan fell, he landed on the left side of the suspect and partially on top of his back.

Deputy [redacted] -- who had the suspect's head and upper body -- used his weight to help pin the suspect down. Deputy [redacted] attempted a carotid restraint hold with his left arm, but he was unable to properly position his arm to execute the move because the suspect was thrashing and moving about so violently. With his left arm still around the suspect's neck, Deputy [redacted] punched the suspect 3-4 times on the right side of the face with his right fist to get him to stop fighting and give up. Deputy [redacted] said judging from the suspect's facial expression, the suspect felt the impact of his punches.

Immediately after the takedown, Detective Delia went over to the suspect's right side to help secure his right arm. Seeing that the suspect was trying to reach into his waistband for the gun, Detective Delia grabbed his right arm and tried unsuccessfully to yank it out from under him. Because the suspect had locked both of his sweaty, slippery arms underneath his body, Detective Delia and Detective Barragan were unable to bring his arms behind his back to handcuff him. Detective Delia punched the suspect 2-3 times on the right side of the ribs to get him to unlock his right arm, but to no avail.

In the meantime, Deputy [redacted] went over to restrain the suspect's legs. He said he struck the suspect's ankles with his flashlight as hard as he could in an attempt to break an ankle so the suspect would stop kicking. Deputy [redacted] began with 6-8 strikes on the left ankle, followed by 2-5 strikes on the right ankle, but the suspect still resisted. Deputy [redacted] stopped the flashlight strikes after he heard someone say the gun has been recovered.

During the scuffle, Sergeant Wilson kicked the suspect "pretty hard" once on the left calf with his left foot to get him to stop thrashing and kicking, but the suspect still didn't stop. From his upright position, Sergeant Wilson was able to maintain a general overhead visual of the suspect and deputies -- directing the deputies as needed -- but much of his focus was on the suspect's feet.

As the struggle ensued, the suspect brought his right knee up along the right side of his hip, using it as leverage to lift his right hip up off the floor, thus creating room for his right hand to reach inside his shorts for his gun. Since the suspect was still kicking and trying to reach for his gun with his right hand, Detective [redacted] -- who had came over to assist Detective Delia on the suspect's right side -- struck the suspect once on the right knee with his flashlight and 3 times on the right elbow. This, coupled with some of Deputy [redacted] 2-5 flashlight strikes to the right ankle, may have caused the suspect to straighten out his right leg.

Simultaneously, Detective Delia took advantage of the opening under the right hip to reach under the suspect and handcuff his right wrist. Using the handcuffs as leverage, Detective Delia was finally able to pull the suspect's arm out and place it behind his back. As Detective Delia was pulling the suspect's handcuffed right arm out from under him, Detective [redacted] jabbed the suspect in the abdomen about 5-6 times with his flashlight because the suspect was still struggling. During this time, Sergeant Wilson held the suspect's left ankle down with his left foot.

At about the same time, Detective Barragan managed to handcuff the suspect's left wrist and pulled it behind the suspect's back. As a result, the suspect ended up with a set of handcuffs on each wrist, one from Detective Delia and one from Detective Barragan.

As Detective Delia and Detective Barragan were handcuffing both of Suspect Salomon's wrists together on one of the handcuffs, Detective [redacted] reached inside the suspect's shorts and removed a derringer by his crotch. Detective [redacted] said a yellow cord was tied to the handle of the derringer -- behind the trigger (and in front of the hammer) -- allowing the gun to be dischargeable, even when tied. The other end of the cord was tied around the suspect's waist, so the gun could hang freely in the suspect's crotch area. Because the cord was tied so tightly to the derringer, Detective [redacted] had to use his pocket knife to cut the cord at the waistline in order to recover the derringer.

When Detective [redacted] announced that he had recovered the gun, the suspect stopped resisting, and the deputies immediately stopped using force and backed off. As a precautionary measure, Sergeant Wilson told the deputies it was over, just to make sure there were no additional uses of force.

During the initial pat down and the ensuing fight, various deputies repeatedly told the suspect to relax, calm down, stay still, stop fighting and put his hands behind his back, but Suspect Salomon ignored their commands each and every time and continue to struggle and kick -- as well as curse at the deputies and threaten to kill them -- until he was fully handcuffed. After the suspect gave up, he told the deputies that he respected them and asked for a glass of water.

Suspect Salomon was arrested for attempted murder and during the search incidental to the arrest, the deputies found a Krazy Glue container filled with several grams of a crystalline substance resembling methamphetamine **(Exhibit C - photo of methamphetamine)** in the pocket of his shorts.

Suspect Salomon was eventually booked for: 1) Attempted Murder of Peace Officers - 664/187PC, felony; 2) Possession of a Firearm by Violent Offender - 12021.1(b)(24)PC,

felony; 3) Carrying a Concealed Firearm by Criminal Street Gang Member - 12025(b)(3)PC - Felony; and 4) Possession of Controlled Substance for Sale - 11378H&S. During the consent search of the apartment **(Exhibit H- video of the search)**, the deputies found text messages on his cell phone involving drug transactions and scales commonly used by narcotics dealers to weight illegal drugs. One of the scale had a white powdery residue.

Suspect Salomon was examined at the scene by LA County Fire Department paramedics, Engine Company #37, under Fire Captain Ford. He was accompanied by Deputy [redacted] and Deputy Bunch, via ambulance, to Antelope Valley Hospital, where he was treated by ER Dr. Uner for: 1) Fractured left fibula (left calf); 2) Fractured right orbital; 3) Broken nose; and 4) Minor contusions to his elbows, knees, ankles, face and shoulders. Dr. Uner okayed him for booking and he was transported to the LCMC jail ward for housing.

None of the deputies were injured in the use of force.

Suspect Salomon is a member of the Vario Jr. Mafia, with the moniker, "Danger." [redacted]

Suspect Salomon was uncooperative and hostile, and refused to be interviewed by IAB Sergeant Scott Hill and Sergeant Albert Maldonado. No photos were taken of his injuries.

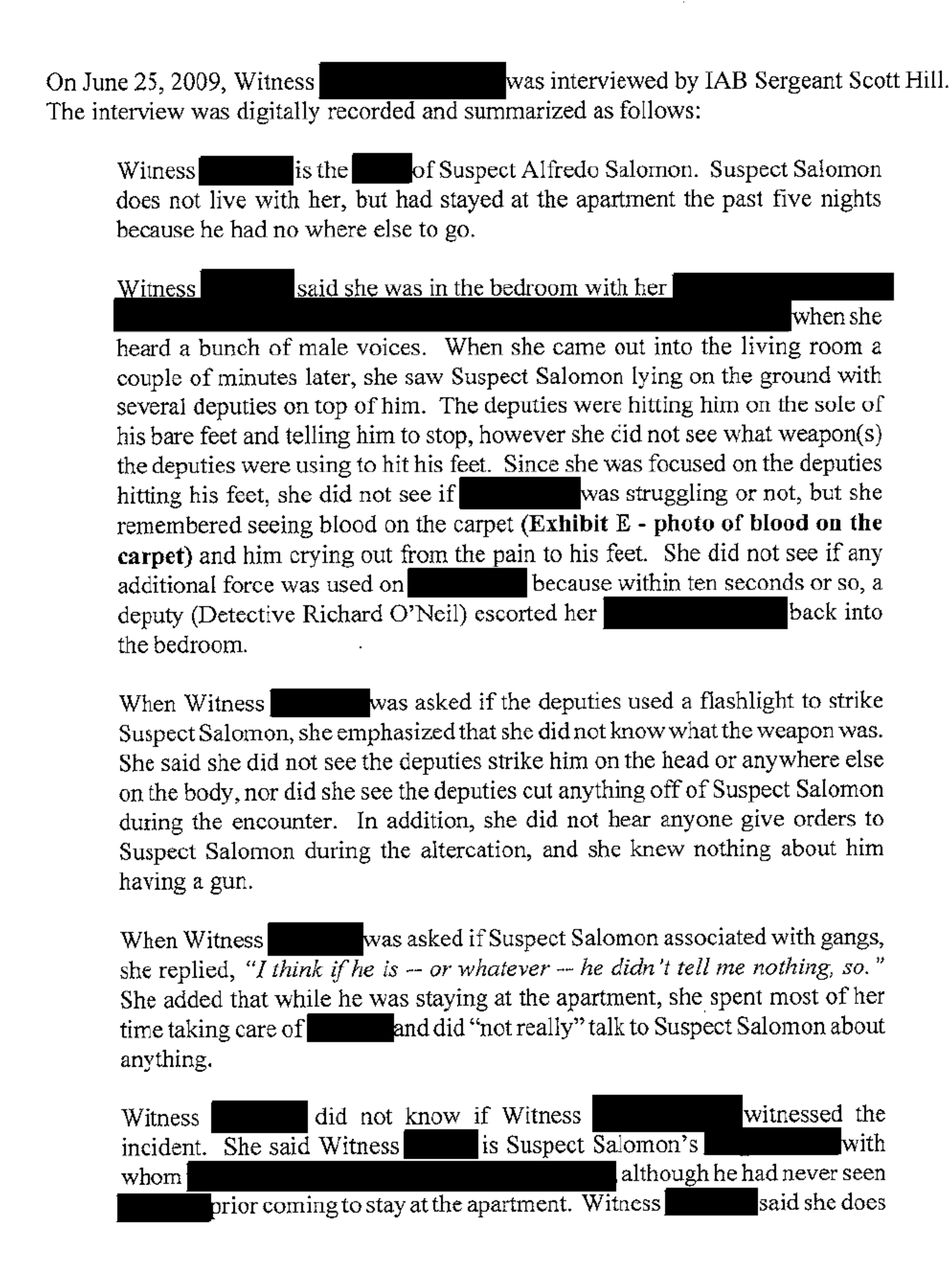
STATEMENT SUMMARIES

Witness [redacted]

DOB: [redacted]

On June 24, 2009, at about 2350 hours, Witness [redacted] was interviewed outside on the apartment catwalk by OSS Sergeant Russell Wilson. The interview was digitally videotaped **(Exhibit G - DVD)** and is of poor quality due to the wind noise. Her statement -- which was somewhat different than what she later told IAB investigators -- is summarized as follows:

> Witness [redacted] said she was in the hallway making a bottle for her baby when she saw a bunch of deputies around her. Detective Richard O'Neal asked her for permission to search her apartment, and if her [redacted] had brought any property over to her apartment. Witness [redacted] signed the consent to search papers and the next thing she saw was her [redacted] (Suspect Alfredo Salomon) on the floor.
>
> Witness [redacted] said the deputies told Suspect Salomon to place his hands behind his back, and he resisted when the deputies tried to put his hands behind his back. She recalled the deputies also telling him to "stay still," to "relax" and to "stop fighting," but he continued to resist. She saw the deputies hitting his feet and causing him pain, but she did not know what the deputies used to hit him. She claimed the fight lasted 20-30 minutes and she did not witness the deputies kicking him, nor him kicking the deputies.
>
> When Witness [redacted] was asked what she saw, she said, *"I couldn't like really see nothing,"* because right after she saw him on the floor, Detective O'Neal took her and [redacted] into the bedroom and closed the door. She did not know what happened to Suspect's Salomon's [redacted] (Witness [redacted] during the fight.
>
> Witness [redacted] claimed she had never seen Suspect Salomon's derringer before and she had no idea that he brought the gun to her apartment. She stated he was homeless and had stopped by to visit and drank a beer.



On June 25, 2009, Witness [redacted] was interviewed by IAB Sergeant Scott Hill. The interview was digitally recorded and summarized as follows:

Witness [redacted] is the [redacted] of Suspect Alfredo Salomon. Suspect Salomon does not live with her, but had stayed at the apartment the past five nights because he had no where else to go.

Witness [redacted] said she was in the bedroom with her [redacted] when she heard a bunch of male voices. When she came out into the living room a couple of minutes later, she saw Suspect Salomon lying on the ground with several deputies on top of him. The deputies were hitting him on the sole of his bare feet and telling him to stop, however she did not see what weapon(s) the deputies were using to hit his feet. Since she was focused on the deputies hitting his feet, she did not see if [redacted] was struggling or not, but she remembered seeing blood on the carpet **(Exhibit E - photo of blood on the carpet)** and him crying out from the pain to his feet. She did not see if any additional force was used on [redacted] because within ten seconds or so, a deputy (Detective Richard O'Neil) escorted her [redacted] back into the bedroom.

When Witness [redacted] was asked if the deputies used a flashlight to strike Suspect Salomon, she emphasized that she did not know what the weapon was. She said she did not see the deputies strike him on the head or anywhere else on the body, nor did she see the deputies cut anything off of Suspect Salomon during the encounter. In addition, she did not hear anyone give orders to Suspect Salomon during the altercation, and she knew nothing about him having a gun.

When Witness [redacted] was asked if Suspect Salomon associated with gangs, she replied, *"I think if he is -- or whatever -- he didn't tell me nothing, so."* She added that while he was staying at the apartment, she spent most of her time taking care of [redacted] and did "not really" talk to Suspect Salomon about anything.

Witness [redacted] did not know if Witness [redacted] witnessed the incident. She said Witness [redacted] is Suspect Salomon's [redacted] with whom [redacted] although he had never seen [redacted] prior coming to stay at the apartment. Witness [redacted] said she does

not have a restraining order against [redacted] and did not know if Witness [redacted] has one either.

Witness [redacted]

[redacted]

On June 25, 2009, at about 0001 hours, Witness [redacted] was interviewed outside on the apartment catwalk by OSS Sergeant Russell Wilson. The interview was digitally videotaped **(Exhibit G - DVD)** and is of poor quality due to the wind noise. See the transcript regarding her comments, which were repeated in greater detail during her later interview with IAB investigators.

On June 25, 2009, at about 0340 hours, Witness [redacted] was interviewed by IAB Sergeant Scott Hill. The interview was digitally recorded and summarized as follows:

Witness [redacted] said she was visiting Witness [redacted] when Suspect Alfredo Salomon received a phone call from [redacted] advising him that [redacted] got arrested and will be not coming back to Witness [redacted] apartment. Since [redacted] is Witness [redacted] and the father of their [redacted], Suspect Salomon asked Witness [redacted] if he should relay the message to Witness [redacted]

Right at about that time, Witness [redacted] and Suspect Salomon overheard the deputies' radio transmissions, and he asked her what that was. When she told him it sounded like "walkie-talkies," Suspect Salomon quickly went over to the open front door to look out. Suspect Salomon then closed door and walked away from the door. At that point, Witness [redacted] saw the deputies knocking on the front door, and she immediately went and re-opened the door.

Witness [redacted] said initially only one deputy (Detective Edwin Barragan) came in, asking to speak to Witness [redacted] but for reasons unknown to Witness [redacted] Suspect Salomon started getting nervous and acted like a trapped animal, not knowing where to run. Two other deputies (Deputy [redacted] and Deputy [redacted]) then walked in behind Detective Barragan.

When Detective Barragan told Suspect Salomon he was going to search him and grabbed his hands, Suspect Salomon pulled away and became "kind of like aggressive," asking why he was being searched in front of [redacted] At that point, she heard someone say Suspect Salomon has a gun and when Detective Barragan "touched" the gun, the deputies took him down to the floor. Suspect Salomon didn't want to be on the floor and fought to get back up. As the deputies started to struggle with Suspect Salomon, Witness [redacted] and [redacted] walked out because she didn't want [redacted] to see what was going on. She did not witness any other part of the struggle.

While outside on the catwalk, Witness [redacted] could hear the deputies telling Suspect Salomon several times to "stop fighting it," and to "stay down," and "relax." Instead, Suspect Salomon screamed, *"Fuck you. Fuck you guys,"* to the deputies. After it was all over, Suspect Salomon told the deputies, *"I respect you guys,"* and asked for some water. She thought his behavior was weird and felt that he may have some mental problems or personal issues.

Witness [redacted] said the fight seemed to have lasted 15 minutes, but that it was actually over "pretty fast." She believed Suspect Salomon initiated the fight by not listening to the deputies and pulling away when they tried to search him. She said he was "acting weird," and besides, "he did have a gun."

Witness [redacted] stated she did not see the gun and was surprised that he was carrying one. She hadn't [redacted] for a long time because of his [redacted] but she was going to give him a second chance because he claimed to have cancer. She was not aware if Suspect Salomon brought any stolen property or drugs with him to the apartment.

Involved Employee Russell Wilson [redacted]
Sergeant
Operation Safe Streets Bureau (OSS) - Palmdale Station
Supervisor of Gang Investigator Unit and GET Team

On June 24, 2009, Sergeant Russell Wilson wrote a Supplemental Report, URN #009-1127-2610-055, of the incident involving Suspect Alfredo Salomon **(See Exhibit A, regarding his narrative).**

On June 25, 2009, at about 0417 hours, Sergeant Wilson was interviewed by IAB Sergeant Scott Hill and Sergeant Albert Maldonado. The interview was digitally recorded and summarized as follows:

> Sergeant Wilson has been at [redacted] The GET deputies are the uniformed portion of the OSS unit that deals with gang enforcement and completes Field Interview Reports (FIR cards on suspected and known gang members), while the detectives file cases involving gang-related crimes, and does gang enhancements and follow-ups on gang-related assaults. In addition to overseeing the work of the detectives, Sergeant Wilson also supervises the GET deputies out in the field.
>
> Sergeant Wilson said on June 24, 2009, at about 2200 hours, he received a phone call from OSS Detective Tony Delia that he, Detective Rich O'Neal and [redacted] were detaining two gang members (which included [redacted] whom they suspected of possession of about $3,000 worth of stolen property, which consisted of baseball cards, GPS systems, digital radios and stereo equipment taken from a Target Store heist in the city of Palmdale.
>
> The detectives had been working on these two gang members the past couple of days; and since [redacted] told them he occasionally stayed at [redacted] (Witness [redacted]) apartment, the deputies wanted to get her consent to a search of her apartment for any additional stolen electronics and baseball cards.
>
> Sergeant Wilson and the three detectives -- now joined by OSS Detective Edwin Barragan, GET Deputies [redacted], [redacted], [redacted] and Brent Bunch -- drove to Witness [redacted] apartment to conduct the follow-up burglary investigation. Upon arrival, Deputies [redacted] and Bunch remained with the patrol vehicles to guard the two arrestees, while Sergeant Wilson and the rest of group left to make contact at Witness [redacted] apartment.
>
> Sergeant Wilson and the group decided to do a "low-keyed soft knock," under the mistaken belief that they would only be dealing with Witness [redacted] and [redacted] GET Deputies [redacted] and [redacted] led the way upstairs, and while walking down on the catwalk towards Apartment [redacted] Deputy [redacted] hollered down to the group that the front door was opened. The rest of the deputies joined them upstairs and as they approached, someone in the

doorway slammed the door shut. The deputies peeked through the window and could see Suspect Alfredo Salomon in the living room.

Sergeant Wilson said he believed Detective O'Neal (actually Detective Barragan) knocked on the door and Witness [redacted] (Suspect Salomon's [redacted]) immediately opened the door. Everyone went into the apartment and they spoke with Witness [redacted] -- [redacted] and Suspect Salomon's [redacted] As the detectives were getting her cooperation, they noticed Suspect Salomon -- whom Sergeant Wilson described as about 5'08"-5'09", with a "prison-bulk" build of about 180-190 pounds -- nervously pacing back and forth near the kitchen and the dining area **(See Exhibit E - photos of the apartment layout)**.

Sergeant Wilson said Suspect Salomon's presence was a complete surprise to them. *"We could see he had tattoos and he was not at all friendly with us. He was very antsy and there was an air of concern what his role was in this -- the house."* Before they found out who Suspect Salomon was, one of the deputies (Detective Barragan) approached him and asked, *"Are you okay? Do you have any weapons on you? Anything you shouldn't have?"* Detective Barragan then told Suspect Salomon he was going to pat him down [for weapons].

After Detective Barragan brought Suspect Salomon's left hand behind his back and reached to bring back the right hand, the suspect pulled away from him and started reaching down the front of his pants with his (right) hand. Detective Barragan and Detective Delia each grabbed Suspect Salomon from the side to find out what he was reaching for.

At this time, Detective O'Neal escorted Witness [redacted] out of the room to safety, while Sergeant Wilson, Detective [redacted] Deputy [redacted] and Deputy [redacted] went to help control the suspect. Sergeant Wilson ordered his men, *"'Take him down. Take him down,' because we started to dance as a group and I thought it best to get him on the floor, get him contained."*

As a team, the deputies took Suspect Salomon down on the floor on his back, with Deputy [redacted] by the suspect's head, Detective Delia on his left side, Detective [redacted] and Detective Barragan on his right side, and Deputy [redacted] and Sergeant Wilson by his feet, but Suspect Salomon quickly flipped himself over onto his stomach and violently began twisting and turning, and arching his back. He repeatedly kicked at the deputies with his feet and screamed,

"I'm going to kill you. I'm gonna kill you, mother-fucker. I'm gonna kill you." Sergeant Wilson believed the threats may have been directed at Deputy [redacted] because the two of them were face to face.

Sergeant Wilson said although he was holding down the suspect's left ankle with his left foot to stop him from kicking, he was concerned that Witness [redacted] may get kicked, so he directed her to step outside to the catwalk. Witness [redacted] complied and took her [redacted] with her to safety.

During the struggle, Suspect Salomon placed both arms underneath his body. As Detective Barragan tried to pull Suspect Salomon's left arm out from under him -- with Detective Delia doing likewise with his right arm -- Detective Barragan suddenly cried out, *"He's got a gun."*

Out of the corner of his eyes, Sergeant Wilson heard Deputy [redacted] shouting, *"Drop the gun. Drop the gun,"* and he thought he saw Deputy [redacted] punching the suspect in the face with his fist, but he wasn't positive because he has been awake and deprived of sleep for almost 24 hours.

In the meantime, Detective [redacted] was also helping to pull one of the suspect's (right) arms out from underneath him. Sergeant Wilson saw a yellow string or rope under the suspect, but he didn't understand the significance of it until after the suspect was subdued, when he learned the suspect had a gun (derringer) tied to the end of a yellow cord **(see Exhibit B - photo of the yellow cord and the derringer)**. At one point, Sergeant Wilson gave the suspect a "pretty good kick" on the left calf with his left foot to get him to stop kicking.

Sergeant Wilson said Detective Barragan managed to pull Suspect Salomon's left hand out from under him and noticed the suspect had palmed a gun in his left hand. Detective Barragan was able to maintain control of the left hand while Detective Delia handcuffed the suspect's right wrist. Despite this, Suspect Salomon continued to kick and thrash about. To prevent Suspect Salomon from kicking anyone who was straddling him, Sergeant Wilson stood on the suspect's left ankle.

Sergeant Wilson believed Detective Barragan finally took the gun out of Suspect Salomon's left hand, and the deputies were able to handcuff his left hand. Once he was fully handcuffed, Suspect Salomon stopped fighting and

the deputies rolled them back over onto his back and pulled the yellow strap out of the suspect's pants and found out the strap was attached to both the gun and his pants.

Sergeant Wilson said Suspect Salomon sustained a fractured fibula to his left calf. When asked by the IAB investigators if he knew who had used force on the left leg area, Sergeant Wilson said aside from him kicking the suspect on the leg, Deputy [redacted] tried to control the suspect's kicking and thrashing by repeatedly striking the suspect's ankles with his flashlight. Sergeant Wilson said although other force was being used, his focus was primarily on the suspect's feet and that was what he saw.

When Sergeant Wilson was asked about the possible use of OC spray, he replied in hindsight, they could have done things differently, but the reality was once they took hold of the suspect to search him, the fight was on. They couldn't just release him to use OC spray when the suspect was armed (with a gun).

When Sergeant Wilson was asked what he thought about standing back and directing the actions of the deputies, he replied he did his best as a supervisor by giving instructions to the deputies as he was holding down the suspect's feet. From his vantage point (from above), he could see what the deputies and suspect were doing. After the suspect was handcuffed, he told the deputies, "It's over," and the deputies complied and backed off of the suspect.

IAB investigators showed Sergeant Wilson photos of a derringer and a yellow cord **(Exhibit B)**, and he positively identified them as items taken off of Suspect Salomon during the struggle. Sergeant Wilson said he examined the derringer at the scene and described it as a two-shot .22 caliber firearm with two barrels, one on top of the other. The derringer had one live round in the barrel.

Witness Richard O'Neal [redacted]
Detective
Operation Safe Streets Bureau (OSS) - Palmdale Station

On June 24, 2009, Detective Richard O'Neal wrote an Incident Report, URN #009-1127-2610-055, of the incident involving Suspect Alfredo Salomon (**See Exhibit A, regarding his narrative**).

On June 25, 2009, at about 0540 hours, Detective O'Neal was interviewed by IAB Sergeant Scott Hill. The interview was digitally recorded and summarized as follows.

> Detective O'Neal said he was the IO (investigating officer) of a Target store theft case involving a suspect by the name of [redacted] Hours before the use of force incident, he and other OSS detectives went out and arrested [redacted] and another person during a vehicle stop (in front of [redacted] mother's house), and recovered numerous small electronics and packages of baseball cards, some of which they believed were stolen from Target. [redacted] informed the deputies that he primarily lives with [redacted] but he sometimes stays with his [redacted] Witness [redacted].
>
> After getting [redacted] consent to search her house (and finding no additional stolen property), Detective O'Neal gathered a group of OSS detectives and GET deputies (Sergeant Russell Wilson, Detective Edwin Barragan, Detective [redacted] Detective Anthony Delia, Deputy [redacted] Deputy [redacted] Deputy Brent Bunch and Deputy [redacted]) and briefed them about going to [redacted] apartment and convincing her to sign a consent to search for possible additional stolen property. Detective O'Neal said he was looking for more items like the GPS units, LED flashlights, hair trimmers and baseball cards. Detective O'Neal said aside from Witness [redacted] (and [redacted]), they did not expect anyone else to be at the apartment.
>
> Once the deputies arrived at the apartment complex, Detective Barragan, Deputy [redacted] and Deputy [redacted] were the first to go upstairs to Witness [redacted]'s rear apartment. As the remaining members of the group started their ascend up the stairs, Detective O'Neal heard her apartment door slammed shut.
>
> By the time Detective O'Neal reached the apartment, Witness [redacted]'s front door was opened and he saw Detective Barragan walk in and heard him ask if [redacted] was there. Although he didn't see it, he later learned the door was opened by Witness [redacted] (Suspect Alfredo Salomon's [redacted]. Witness [redacted] identified herself as [redacted] and permitted the deputies to enter her apartment.
>
> All the deputies walked in and Detective O'Neal noticed Witness [redacted] standing to the left in the living room -- by the sofa bed -- and Suspect Alfredo Salomon ([redacted]) standing in front of Detective Barragan in the

living room. Detective O'Neal said Suspect Salomon "was kind of like, looking around, wasn't sure what to do or whatever, and it struck me kind of weird."

Being the IO, Detective O'Neal went up to Witness [redacted] in the living room and suggested they talk by the kitchen dining table so he could use it to fill out the search consent form. Witness [redacted] -- who was carrying the [redacted] in her arms -- agreed and walked over to the dining table.

Since there were numerous deputies in the living room keeping an eye on things, Detective O'Neal had his back to the living room as he explained to Witness [redacted] that [redacted] was in the patrol car for possession of possible stolen property. As he was explaining the search consent form to her, Detective O'Neal heard someone say, *"Take him down."*

Detective O'Neal looked over his shoulder and saw the deputies taking Suspect Salomon down to the ground in the living room and one of Witness [redacted] started "freaking out." Not wanting [redacted] to get hurt accidentally or traumatized, he told Witness [redacted] to grab the other [redacted] and go into the bedroom. Witness [redacted] walked around the scuffle over to the sofa bed to get her [redacted] Since Witness [redacted] had the looks of someone not knowing what to do, Detective O'Neal escorted the [redacted] of them into the bedroom and closed the door behind them.

Detective O'Neal said he did not know what happened to Witness [redacted] during the scuffle because he was trying to calm Witness [redacted] down until the scuffle was over. He couldn't hear what was being said in the living room because [redacted] were crying for the first couple of minutes, plus he was talking to Witness [redacted], but he could overhear Suspect Salomon complaining and moaning as if in pain. Since he didn't want [redacted] to see blood, if any, or [redacted] in handcuffs, he kept them in the bedroom.

While in the bedroom, Witness [redacted] asked Detective O'Neal if [redacted] was alright and if he was going to jail as he would try to calm her and [redacted] down. Every so often, Detective O'Neal would peek out the bedroom door to see if the fight was over.

Detective O'Neal waited until the Fire Department paramedics took Suspect Salomon away before he had Witness [redacted] exit the bedroom and sit on the

sofa bed. He estimated they were in the bedroom a good 10 minutes. During that time, Witness [redacted] signed the consent to search [redacted] apartment.

The deputies searched the apartment and found two packages of baseball cards and another Garmin GPS unit, which was identical to the two GPS units recovered earlier from [redacted] car. Detective O'Neal added that Target does not sell baseball cards and at the present time, they are trying to determine if the cards were taken from another burglary.

Involved Employee Edwin Barragan [redacted]
Detective
Operation Safe Streets Bureau (OSS) - Palmdale Station

On June 24, 2009, Detective Edwin Barragan wrote a Supplemental Report, URN #009-1127-2610-055, of the incident involving Suspect Alfredo Salomon **(See Exhibit A, regarding his narrative).**

On June 25, 2009, at about 0523 hours, Detective Barragan was interviewed by IAB Sergeant Al Maldonado. The interview was digitally recorded and summarized as follows.

Detective Barragan said he received information from Detective Richard O'Neal to head over to Witness [redacted] which was [redacted] As Detective Barragan and GET Deputies Jason [redacted] and Robert [redacted] approached the unit on the catwalk, he saw a male Hispanic standing outside the open front door of [redacted] The male quickly walked inside [redacted] and locked the door behind him.

Detective Barragan went up to the door and looked through the window. He could see Witness [redacted] sitting on a sofa bed to the left of the front door. He knocked and Witness [redacted] immediately got up and opened the door. Detective Barragan asked her if he could step in because he needed to talk to someone named [redacted] Witness [redacted] allowed him in and told him Witness [redacted] was in the bedroom.

While talking to Witness [redacted] Detective Barragan noticed the same male Hispanic (Suspect Alfredo Salomon) standing in the middle of the living room directly -- about 7'-8' -- from the front door. Suspect Salomon appeared

extremely nervous and at one point, he even dropped one hand down towards his waist, which in turn made Detective Barragan very nervous.

Witness [redacted] came out of the bedroom and Detective Barragan asked her if he could speak with her and come in, and she agreed. However, due to Suspect Salomon's behavior and demeanor, Detective Barragan kept an eye on him. Suspect Salomon repeatedly looked from side to side as if he was looking for an escape route.

When Detective Barragan told Suspect Salomon, *"Hey, would you come over here and let me check you out. Do you have anything illegal on you?"* Suspect Salomon replied, *"No. What's this all about?"* Detective Barragan then informed him, *"Oh, it's -- we just needed to speak with* [redacted] *but you're making me nervous. I need -- I'm just going to pat you down. Do you mind?"* Suspect Salomon answered, *"No, not at all,"* and placed his hands behind his back to be searched.

As Witness [redacted] stood by the front door, the rest of the deputies entered the apartment. Even though, Suspect Salomon had placed his hands behind his back to be patted down, he remained very nervous. After grabbing a hold of the suspect's hands from the back, Detective Barragan began patting him down the right side of his thin basketball shorts for weapons.

Although Suspect Salomon was not resisting, he kept trying to turn and face Detective Barragan to talk. Due to Suspect Salomon's sweaty hands, Detective Barragan's grip of his hands had loosened up a bit after patting down his right side. Detective Barragan told him to put his hands back together again, to which Suspect Salomon relaxed his hands and complied.

Detective Barragan grabbed the suspect's hands again, but as he started to search the suspect's left side, Suspect Salomon became extremely nervous again and started moving around. Detective Barragan had to re-grip once more and told him to stop moving. While patting down near his crotch area, Detective Barragan felt a "hard object" by his left inner thigh and crotch. While still holding onto the suspect's hands with his right hand, he grabbed the object with his left hand and felt the outline of small caliber gun.

When Detective Barragan called out, [redacted] and asked the suspect what the object was. Suspect Salomon turned to face him with eyes wide opened and said, *"What, what, what?"* Suspect Salomon immediately

started to pull free, prompting Detective Barragan to release the gun in order to grab the suspect's wrists with both hands. Suspect Salomon then tried to spit on Detective Barragan and pulled his right elbow forward to break free, but Detective Barragan's grip of his wrists was strong and the suspect was unable to break free.

During the struggle, Suspect Salomon kept pulling forward and Detective Barragan was starting to lose his balance. Deputy [redacted] went up to Detective Barragan's right side to help, while Detective Delia came over to Detective Barragan's left side. At that point, Detective Barragan heard Sergeant Wilson's voice behind them, telling them to take the suspect down to the ground.

Deputy [redacted] and Detective Delia grabbed the suspect's upper torso and all four of them went down, with the suspect landing on his face and chest. As they were falling, Detective Barragan lost total control of the suspect's right wrist, and the suspect's right hand ended up underneath his body by his waist band area.

Once on the ground, Detective Barragan could see Deputy [redacted] by the suspect's head and upper torso area, using his whole body to help pin the suspect down. All the while, the suspect was fighting to break free and screaming, *"Get off me! I'll kill you! Get off me! I'll kill you."*

Detective Barragan said Suspect Salomon then brought his right knee up in a forty-five degree angle and used it as leverage to lift his hips up off the ground to create space between his pelvic area and the ground. It was a move that Detective Barragan had seen wrestlers use to help themselves get up off the ground. Suspect Salomon appeared to be reaching down towards his waistband with his right hand, but because Detective Barragan was more to the suspect's left side and was still struggling to control his left hand, he was unable to reach over and pull the suspect's right arm out from under him.

From his position, Detective Barragan glanced back momentarily towards the suspect's feet and saw Deputy [redacted] trying to control the suspect's feet, while striking the suspect's ankles a few times with a flashlight. At this point, Detective Delia moved over to the suspect's right side in an attempt to pull the suspect's right arm out from under him.

When Detective Barragan finally pulled the suspect's left hand to the small of his back and handcuffed the left wrist, he noticed Detective [redacted] was helping to control the suspect's legs. At that point, he noticed that Detective Delia had handcuffed the suspect's right wrist and was able use it to pry the suspect's right arm out. This then allowed them to fully handcuff the suspect. Detective Barragan said during his confrontation with the suspect, he repeatedly told him to calm down and relax, and to stop resisting.

Detective Barragan said Detective [redacted] was the one who recovered the gun from the suspect's shorts and cut the yellow cord. However, he was unsure if the recovery was done during the final handcuffing stage, or after the suspect was fully handcuffed. Detective Barragan said although he did not see it, he thought the gun may have had a sock cover.

Other than what he had described, Detective Barragan did not witness anyone else using force or striking the suspect. As soon as the suspect was handcuffed, he stopped fighting and became cooperative. The deputies immediately called the paramedics.

Detective Barragan said he was not injured in the struggle.

Involved Employee [redacted]
Deputy
Gang Enforcement Team (GET) - Palmdale Station

On June 24, 2009, Deputy [redacted] wrote a Supplemental Report, URN #009-1127-2610-055, of the incident involving Suspect Alfredo Salomon **(See Exhibit A, regarding his narrative)**.

On June 25, 2009, at about 0545 hours, Deputy [redacted] was interviewed by IAB Sergeant Scott Hill. The interview was digitally recorded and summarized as follows.

Deputy [redacted] said as a GET deputy, his duties basically involves patrol work in which they are not given calls for service to handle. [redacted]

Deputy [redacted] said his partner, Deputy [redacted] got a cell phone call from one of the OSS detectives (Detective Richard O'Neal and Detective

Robert Delia), asking them to meet them on 4th Street East where they were finishing up some operation and to follow them to another location (Witness [redacted]).

When they got to the large apartment complex, Deputy [redacted] Deputy [redacted] and OSS Detective Edwin Barragan began scouting for Witness [redacted] and left ahead of the rest of the deputies. As the three of them approached what they thought may be the right apartment unit, Deputy [redacted] and Detective Barragan saw a male Hispanic (Suspect Salomon) standing outside in front of the apartment. Suspect Salomon had not seen them yet, but when Deputy [redacted] and Detective Barragan got to the catwalk, Suspect Salomon saw them and gave them an "Uh-ohh" surprised look, and immediately went into the apartment and slammed the door shut. At that point, Deputy [redacted] -- who had remained behind by the stairs -- followed them to the apartment. Deputy [redacted] said it was either he or Detective Barragan that told the other group of deputies that they had found the apartment.

Detective Barragan was the first to the front door and as he knocked on the door, Deputy [redacted] kept an eye on Suspect Salomon through the open window with the open shades. Deputy [redacted] said Suspect Salomon was very nervous and shocked that the deputies were at the location, and he kept looking around as if trying to figure out what to do. Witness [redacted] didn't hesitate and immediately got up off the sofa and unlocked the front door.

When the door opened, Deputy [redacted] -- sensing something was up with Suspect Salomon -- maintained his focus on him while Detective Barragan spoke with Witness [redacted] Deputy [redacted] felt that if anybody was going to be threat, it was Suspect Salomon or whoever was hiding in the bedroom. He recalled Witness [redacted] stepping off to the left as if she was inviting them to come in. Deputy [redacted] said on their right was a dining area and the kitchen, on the left was the living room, and straight ahead was the path leading the bedroom. Suspect Salomon was standing about 6' behind the front door towards the bedroom.

After the three of them entered the apartment, Witness [redacted] came out of the bedroom and spoke with Detective Barragan. Deputy [redacted] couldn't recall what Witness [redacted] said, but he described her as being

friendly -- not at all hostile -- and basically invited them in. Deputy [redacted] did not view her as a threat.

As the suspect adjusted his basketball shorts, something clicked in Deputy [redacted] mind because the suspect was acting really weird. At the same time, Detective Barragan called Suspect Salomon to come over to him, which he complied. Detective Barragan had him put his hands behind his back and began patting him down. Deputy [redacted] said Suspect Salomon did the typical thing that people do when they are "dirty" or "hinky," by constantly looking back and asking what this was all about.

When Detective Barragan started patting down the suspect's waist, Deputy [redacted] said the suspect kept turning his body away from Detective Barragan's hand, which Deputy [redacted] described as a common diversion when a suspect is hiding narcotics or a gun in their waist or crotch areas and want to distract the deputy from finding it. At this point, the rest of the team entered the apartment.

Deputy [redacted] said at about that time, Detective Barragan asked, *"What is this?"*, and then he called out, [redacted] When Deputy [redacted] heard Sergeant Russell Wilson say, *"Take him down,"* Deputy [redacted] moved to Detective Barragan's right and grabbed the suspect by the back of the neck and shoulder area and threw him down to his right, face down on the ground. Deputy [redacted] then fell on top of the suspect's back with his chest, with his face to the back of the suspect's head. While in this position, Deputy [redacted] was unable to see what was going on, but he could feel the suspect kicking and thrashing about. He tried to get the suspect in a carotid hold with his left arm, but the suspect was moving about so violently that he was unable to properly place his arm around the suspect's neck to perform the carotid restraint.

Deputy [redacted] could hear everyone yelling behind him, *"Hey, put your hands out. Stop fighting. Stop kicking,"* and, *"He's got a gun."* Since the suspect continued fighting and was in possession of a gun, Deputy [redacted] struck him in the face with 3-4 solid punches with his right fist, while his left arm was still around the suspect's neck. Suspect Salomon made a face like the punches hurt.

Deputy [redacted] said he glanced back once and became alarm when he saw the suspect's right arm underneath his stomach, because that is where the gun

probably is. Detective [redacted] was by the suspect's right side and Deputy [redacted] was down by the suspect's legs. Deputy [redacted] felt confident that the other deputies could handle the gun situation even as the suspect tried to "buck" them off of him. When the suspect tried to sit up, Deputy [redacted] used his body to weigh him back down and prevent him from looking around to orient himself.

Just before someone announced that the suspect was handcuffed, Deputy [redacted] had looked over his shoulder and saw Detective [redacted] pulling the gun from the suspect's waistband, which was tied to some makeshift string. Deputy [redacted] said Detective [redacted] used a knife to the cut the string, and he cleared the derringer, which was loaded.

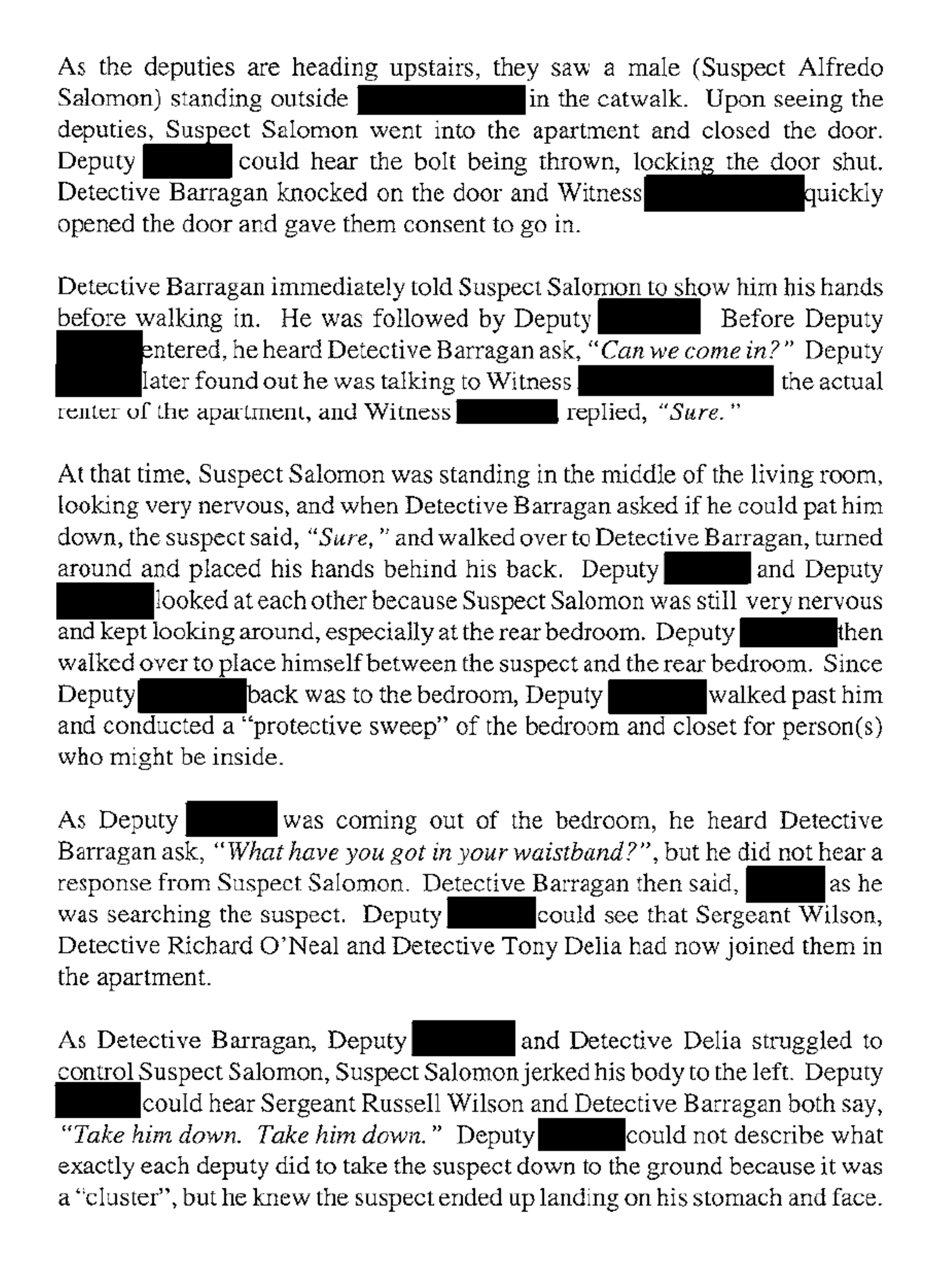
Deputy [redacted] added that once the suspect was handcuffed, he relaxed his grip. Someone rolled the suspect over on his back to re-search his waist area to make sure he didn't have anything else on him. Deputy [redacted] described the use of force episode as "pretty scary," especially when Suspect Salomon has a gun and yells out, *"I'm gonna fucking kill you."*

<u>Involved Employee</u> [redacted]
Deputy
Gang Enforcement Team (GET) - Palmdale Station

On June 24, 2009, Deputy [redacted] wrote a Supplemental Report, URN #009-1127-2610-055, of the incident involving Suspect Alfredo Salomon (**See Exhibit A, regarding his narrative**).

On June 25, 2009, at about 0555 hours, Deputy [redacted] was interviewed by IAB Sergeant Al Maldonado. The interview was digitally recorded and summarized as follows.

Deputy [redacted] said he and his partner, Deputy [redacted] -- who are GET team members -- were called out to a house on 4th Street and Avenue Q-3, in Palmdale, by OSS detectives to assist them on a search of a house. After they completed the search, they all headed over to [redacted] 5th Street East, [redacted] in Palmdale to do follow-up on a burglary that occurred at a Target store in which electronics were stolen. Once they got to the apartment complex, Deputy [redacted], Deputy [redacted] and OSS Detective Edwin Barragan made the initial contact at [redacted]



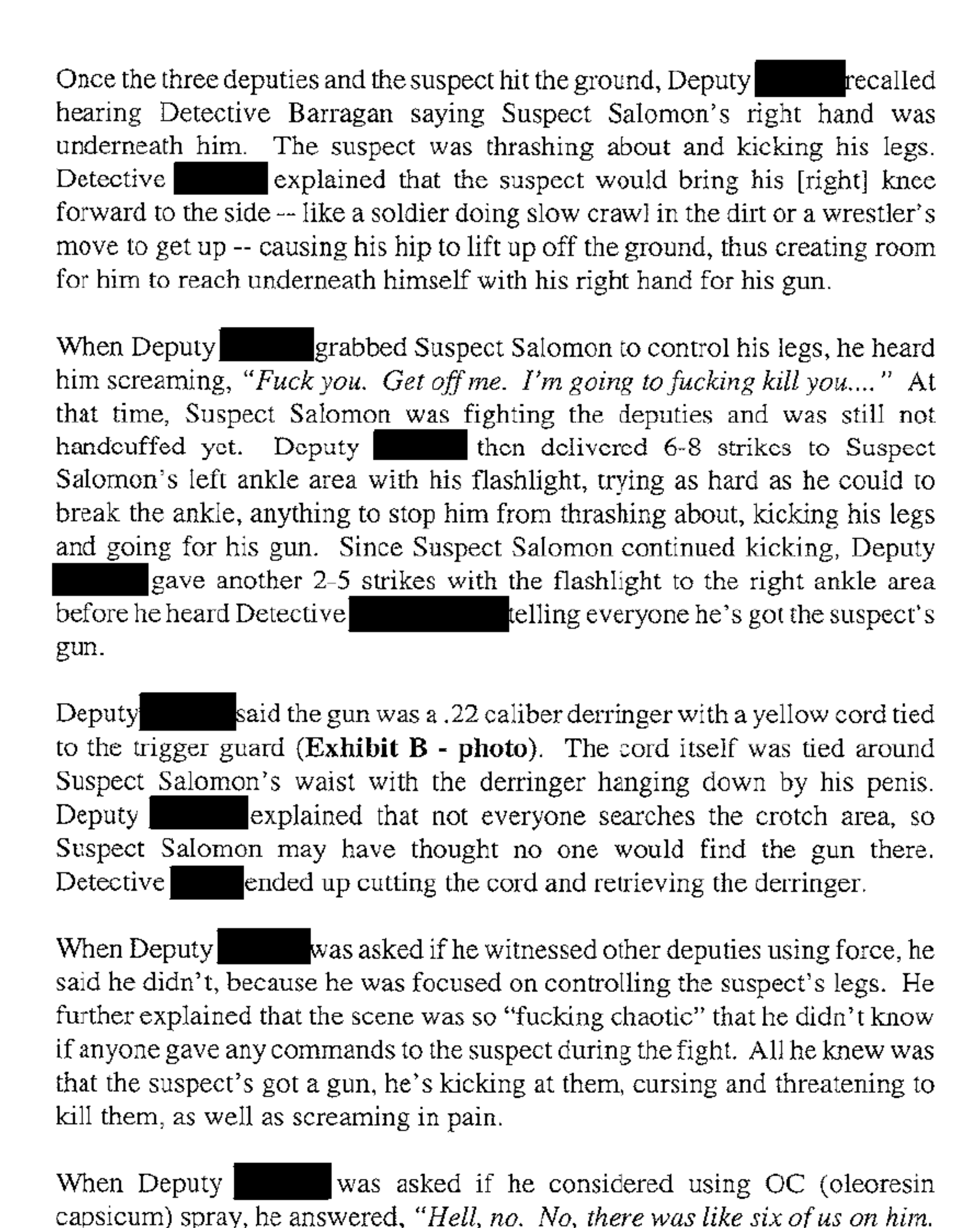
As the deputies are heading upstairs, they saw a male (Suspect Alfredo Salomon) standing outside [redacted] in the catwalk. Upon seeing the deputies, Suspect Salomon went into the apartment and closed the door. Deputy [redacted] could hear the bolt being thrown, locking the door shut. Detective Barragan knocked on the door and Witness [redacted] quickly opened the door and gave them consent to go in.

Detective Barragan immediately told Suspect Salomon to show him his hands before walking in. He was followed by Deputy [redacted] Before Deputy [redacted] entered, he heard Detective Barragan ask, *"Can we come in?"* Deputy [redacted] later found out he was talking to Witness [redacted] the actual renter of the apartment, and Witness [redacted] replied, *"Sure."*

At that time, Suspect Salomon was standing in the middle of the living room, looking very nervous, and when Detective Barragan asked if he could pat him down, the suspect said, *"Sure,"* and walked over to Detective Barragan, turned around and placed his hands behind his back. Deputy [redacted] and Deputy [redacted] looked at each other because Suspect Salomon was still very nervous and kept looking around, especially at the rear bedroom. Deputy [redacted] then walked over to place himself between the suspect and the rear bedroom. Since Deputy [redacted] back was to the bedroom, Deputy [redacted] walked past him and conducted a "protective sweep" of the bedroom and closet for person(s) who might be inside.

As Deputy [redacted] was coming out of the bedroom, he heard Detective Barragan ask, *"What have you got in your waistband?"*, but he did not hear a response from Suspect Salomon. Detective Barragan then said, [redacted] as he was searching the suspect. Deputy [redacted] could see that Sergeant Wilson, Detective Richard O'Neal and Detective Tony Delia had now joined them in the apartment.

As Detective Barragan, Deputy [redacted] and Detective Delia struggled to control Suspect Salomon, Suspect Salomon jerked his body to the left. Deputy [redacted] could hear Sergeant Russell Wilson and Detective Barragan both say, *"Take him down. Take him down."* Deputy [redacted] could not describe what exactly each deputy did to take the suspect down to the ground because it was a "cluster", but he knew the suspect ended up landing on his stomach and face.



Once the three deputies and the suspect hit the ground, Deputy [redacted] recalled hearing Detective Barragan saying Suspect Salomon's right hand was underneath him. The suspect was thrashing about and kicking his legs. Detective [redacted] explained that the suspect would bring his [right] knee forward to the side -- like a soldier doing slow crawl in the dirt or a wrestler's move to get up -- causing his hip to lift up off the ground, thus creating room for him to reach underneath himself with his right hand for his gun.

When Deputy [redacted] grabbed Suspect Salomon to control his legs, he heard him screaming, *"Fuck you. Get off me. I'm going to fucking kill you...."* At that time, Suspect Salomon was fighting the deputies and was still not handcuffed yet. Deputy [redacted] then delivered 6-8 strikes to Suspect Salomon's left ankle area with his flashlight, trying as hard as he could to break the ankle, anything to stop him from thrashing about, kicking his legs and going for his gun. Since Suspect Salomon continued kicking, Deputy [redacted] gave another 2-5 strikes with the flashlight to the right ankle area before he heard Detective [redacted] telling everyone he's got the suspect's gun.

Deputy [redacted] said the gun was a .22 caliber derringer with a yellow cord tied to the trigger guard (**Exhibit B - photo**). The cord itself was tied around Suspect Salomon's waist with the derringer hanging down by his penis. Deputy [redacted] explained that not everyone searches the crotch area, so Suspect Salomon may have thought no one would find the gun there. Detective [redacted] ended up cutting the cord and retrieving the derringer.

When Deputy [redacted] was asked if he witnessed other deputies using force, he said he didn't, because he was focused on controlling the suspect's legs. He further explained that the scene was so "fucking chaotic" that he didn't know if anyone gave any commands to the suspect during the fight. All he knew was that the suspect's got a gun, he's kicking at them, cursing and threatening to kill them, as well as screaming in pain.

When Deputy [redacted] was asked if he considered using OC (oleoresin capsicum) spray, he answered, *"Hell, no. No, there was like six of us on him. It would have messed up us, I think, more than him. It was just too tight."*

Involved Employee Anthony Delia [redacted]
Detective
Operation Safe Streets Bureau (OSS) - Palmdale Station

On June 24, 2009, Detective Anthony Delia wrote a Supplemental Report, URN #009-1127-2610-055, of the incident involving Suspect Alfredo Salomon **(See Exhibit A, regarding his narrative).**

On June 25, 2009, at about 0504 hours, Detective Delia was interviewed by IAB Sergeant Al Maldonado. The interview was digitally recorded and summarized as follows.

> Detective Delia said his partner, Detective Rich O'Neal, received an email advising him the Target store had been burglarized, and attached was a photo of the suspect [redacted] Detective O'Neal reminded him that he recognized [redacted] as a person they stopped the night before. The two of them went out and did a traffic stop of [redacted] and another guy in front of his [redacted] house. Inside the car were a lot of items stolen from Target.
>
> After [redacted] told Detective O'Neal and Detective Delia that he stays with his [redacted] from time to time, the detectives gathered some OSS detectives (Detective [redacted], Detective Edwin Barragan and Sergeant Russell Wilson) and GET deputies (Deputy [redacted] Deputy [redacted] Deputy Brent Bunch and Deputy [redacted] and headed over to Witness [redacted]s apartment to see if she would grant them consent to search for additional stolen property.
>
> When the group got to the apartment, Detective Barragan, Deputy [redacted] and Deputy [redacted] were the first to locate the apartment and made contact with Suspect Alfredo Salomon. By the time, Detective Delia reached the apartment and walked in, the deputies' backs were to him. Detective Delia stood off to the side and watched Suspect Salomon's demeanor. He noted that Suspect Salomon was very nervous.
>
> Detective Delia said he stood back watching Detective Barragan grab a hold of Suspect Salomon's hands behind his back to pat him down. During the search, after Detective Barragan grabbed a hold of a "hard object" by the suspect's crotch with his left hand, he said, *"He has a gun."* As the suspect shrugged forward, trying to break free of Detective Barragan's grasps, Detective Barragan had to let go of the gun to grab a hold of suspect's left wrist.

Detective Barragan told the other deputies, *"Take him down."* Deputy [redacted] came up and grabbed the suspect by the upper back to push him down, but the two of them were having a hard time trying to take the suspect down to the floor. Detective Delia went to the suspect's left side to help push down on the back of his neck and upper back, causing the suspect to fall forward and land on his face and stomach.

After the suspect was on the ground, Detective Delia moved over to the suspect's right side, between his head and rib cage. Deputy [redacted] was to Detective Delia's right and was on lying top of the suspect's upper body, and Detective Barragan was on the suspect's left side trying to control his left arm. Detective [redacted] and Deputy [redacted] were down by the suspect's legs.

Suspect Salomon flayed his arms about and the fight was on. The suspect's right hand was underneath his body and he began reaching towards his waistband area. Simultaneously, he began yelling all kinds of things, including, *"Get off me. I'm going to kill you."* Detective Delia felt the suspect wasn't in his right mind.

Detective Barragan again warned the deputies that the suspect has a gun. To stop the suspect from reaching in his waistband for the gun, Detective Delia grabbed the suspect's right arm and tried repeatedly to yank it out from under him without any success. Seeing that Detective Barragan now had the suspect's left wrist in handcuffs, Detective Delia was hoping to bring the right hand back to handcuff it to the suspect's left hand. But because the suspect had locked his right arm and it was really sweaty and slippery, Detective Delia was unable to use any leverage to pry it loose. Detective Delia then punched the suspect 2-3 times on the right side of the ribs hoping the suspect would loosen up, but the punches had no effect.

During the struggle, the suspect brought his (right) leg up and used it to lift his hips off the ground. Detective Delia believed the suspect was doing this to create an opening for his hand to get his gun. Somewhere during the struggle. Detective Delia heard someone yell, *"Stop kicking."* At that point, Detective Delia said he saw Detective [redacted] and Deputy [redacted] hitting the suspect's legs with their flashlights and assumed it was them who ordered the suspect to stop kicking.

Detective Delia was finally able to slide his hand underneath the suspect and grab hold of his right wrist to place a set of his own handcuffs on it. Using the

handcuffs as leverage, Detective Delia was able to pull the right arm out. At about that time, Detective Delia said Detective [redacted] recovered the gun from the suspect's crotch area and cut the strap that was tied to the gun. They noticed later that the other end of the strap was tied to the inside of the suspect's workout shorts near the waistband where a zipper would be.

When Detective Delia was asked if he heard anyone giving commands to the suspect, he said he heard Detective [redacted] tell the suspect to stop moving because Detective [redacted] didn't want to cut the suspect or stab him while cutting the strap that was tied to the gun. He also heard deputies telling the suspect to stop kicking and assumed the orders came from the deputies who were hitting his legs with their flashlights. Other than that, Detective Delia did not see any other impact weapons being used.

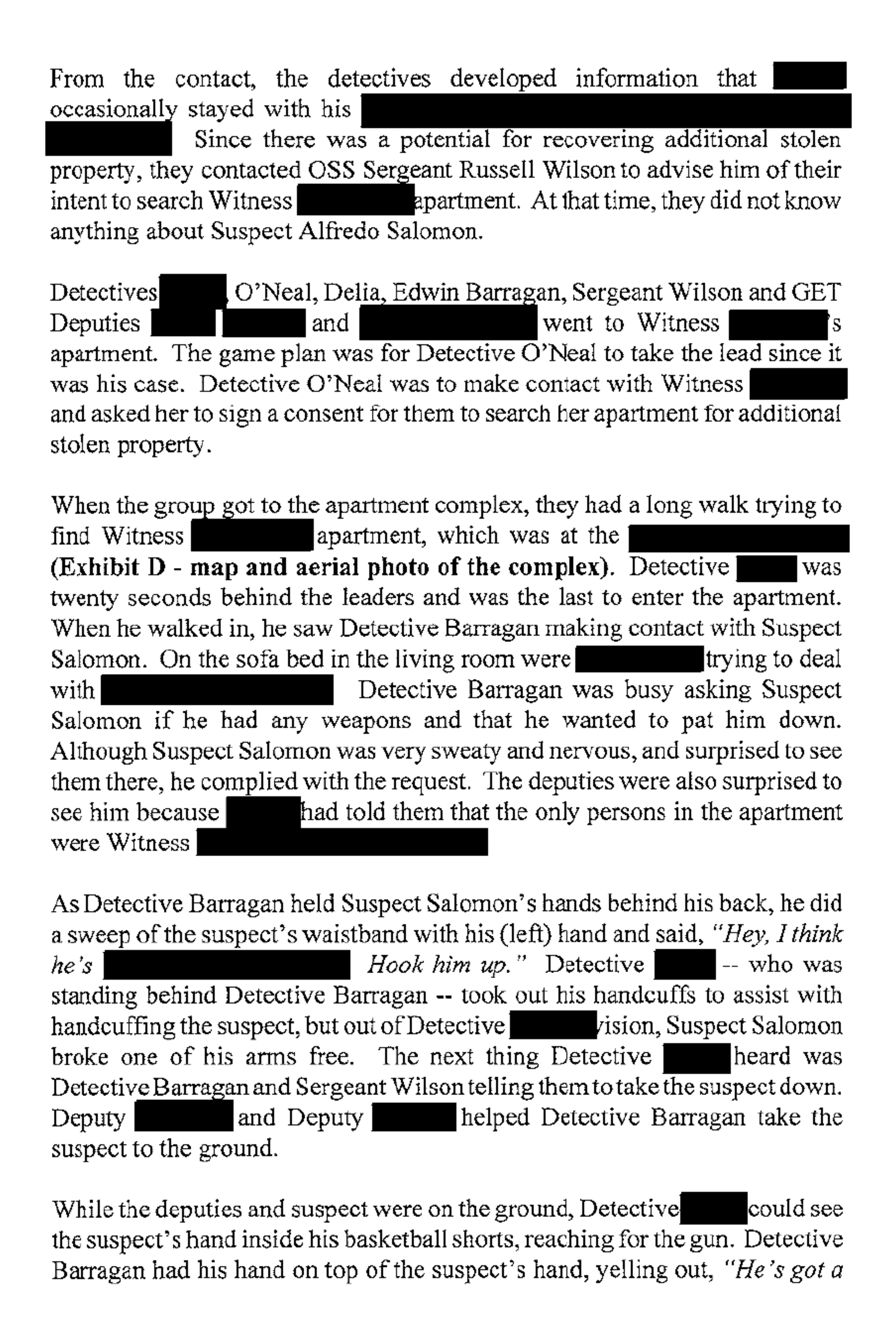
When Detective Delia was asked if there was an opportunity to use OC spray, he answered, *"Not in my opinion. This guy was -- this guy got lucky I think. We could have killed him, you know, had we not been struggling for that, you know, if he would have got that gun, you know."*

Involved Employee [redacted]
Detective
Operation Safe Streets Bureau (OSS) - Palmdale Station

On June 24, 2009, Sergeant Russell Wilson wrote a Supplemental Report, URN #009-1127-2610-055, of the incident involving Suspect Alfredo Salomon **(See Exhibit A, regarding his narrative).**

On June 25, 2009, at about 0504 hours, Detective [redacted] was interviewed by IAB Sergeant Scott Hill. The interview was digitally recorded and summarized as follows.

Detective [redacted] said Palmdale Station detectives provided them pictures and videotape footage of thefts from the Target store and asked them to help identify the suspects. OSS Detective Richard O'Neal, Detective Tony Delia and he recognized one of the suspects as [redacted] whom they have had contact with in the past. They drove by [redacted] residence on [redacted] and saw him with another gang member sitting in his vehicle, parked out in front of the house. Inside the vehicle were numerous items stolen from the Target store. They searched [redacted] house, but found no additional stolen property.



From the contact, the detectives developed information that [redacted] occasionally stayed with his [redacted] Since there was a potential for recovering additional stolen property, they contacted OSS Sergeant Russell Wilson to advise him of their intent to search Witness [redacted] apartment. At that time, they did not know anything about Suspect Alfredo Salomon.

Detectives [redacted] O'Neal, Delia, Edwin Barragan, Sergeant Wilson and GET Deputies [redacted] [redacted] and [redacted] went to Witness [redacted]'s apartment. The game plan was for Detective O'Neal to take the lead since it was his case. Detective O'Neal was to make contact with Witness [redacted] and asked her to sign a consent for them to search her apartment for additional stolen property.

When the group got to the apartment complex, they had a long walk trying to find Witness [redacted] apartment, which was at the [redacted] **(Exhibit D - map and aerial photo of the complex)**. Detective [redacted] was twenty seconds behind the leaders and was the last to enter the apartment. When he walked in, he saw Detective Barragan making contact with Suspect Salomon. On the sofa bed in the living room were [redacted] trying to deal with [redacted] Detective Barragan was busy asking Suspect Salomon if he had any weapons and that he wanted to pat him down. Although Suspect Salomon was very sweaty and nervous, and surprised to see them there, he complied with the request. The deputies were also surprised to see him because [redacted] had told them that the only persons in the apartment were Witness [redacted]

As Detective Barragan held Suspect Salomon's hands behind his back, he did a sweep of the suspect's waistband with his (left) hand and said, *"Hey, I think he's* [redacted] *Hook him up."* Detective [redacted] -- who was standing behind Detective Barragan -- took out his handcuffs to assist with handcuffing the suspect, but out of Detective [redacted] vision, Suspect Salomon broke one of his arms free. The next thing Detective [redacted] heard was Detective Barragan and Sergeant Wilson telling them to take the suspect down. Deputy [redacted] and Deputy [redacted] helped Detective Barragan take the suspect to the ground.

While the deputies and suspect were on the ground, Detective [redacted] could see the suspect's hand inside his basketball shorts, reaching for the gun. Detective Barragan had his hand on top of the suspect's hand, yelling out, *"He's got a*

gun. He's got a gun." In the meantime, Detective O'Neal escorted the screaming Witness [redacted] and her [redacted] into the bedroom, while Sergeant Wilson told Witness [redacted] to go outside with her son.

During the struggle, Suspect [redacted] threatened 3-4 times that he was going to kill the deputies. When he brought his knees up, there was no doubt in Detective [redacted] mind that he was trying to make room to free up his (right) hand to pull the gun out. Detective [redacted] took his flashlight out of his back pocket and struck the suspect three times on his (right) elbow because he believe the suspect was holding the gun in his (right) hand , but the strikes had no immediate impact in stopping the suspect. Since the suspect was kicking and thrashing about, Detective [redacted] also struck him once on the (right) knee.

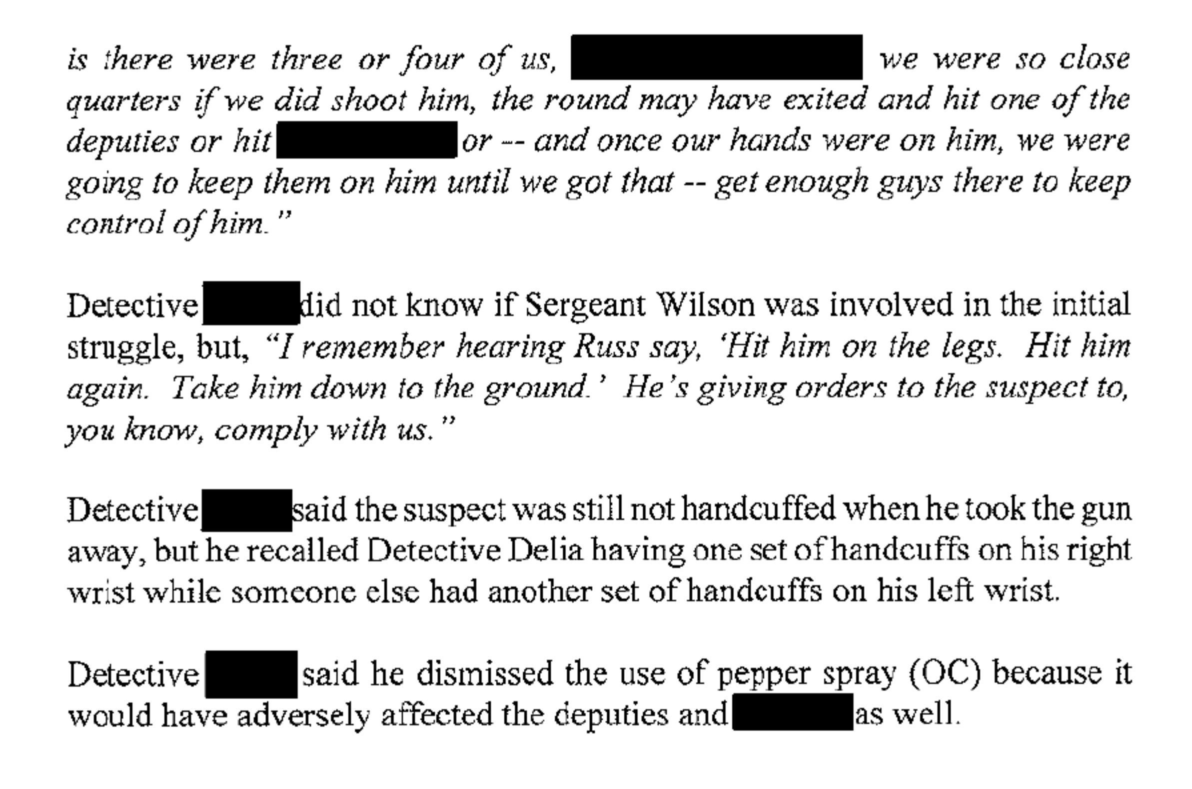
Detective Delia managed to get the handcuffs on one of the suspect's (right) wrist -- Detective [redacted] did not recall which one -- and jerked the arm behind the suspect's back, but the suspect continued to struggle. Detective [redacted] jabbed his flashlight in the suspect's abdomen about 5-6 times so he could get the gun out of the suspect's shorts.

When Detective [redacted] reached inside the suspect's shorts, he found a small gun. There was a cord tied to the grip of the gun, in such a way that it did not obstruct the movement of the hammer, making it possible to fire the gun while still tied. The other end of the cord was tied around the suspect's waist, allowing the gun to hang freely by the suspect's crotch. Because the cord was tied so tightly to the gun, Detective [redacted] had to use his pocketknife to cut the cord in order to safely recover the weapon.

Detective [redacted] said in order to find that gun on the suspect, one had to grab the crotch area and feel for it, because when Detective Barragan initially felt the gun, he first said he thought he got just some contraband, but then he quickly changed it to, *"Hey, I think he has a gun."* While they were on the ground, Detective Barragan confirmed, *"He's got a gun."* Detective [redacted] seconded that confirmation when he retrieved the gun inside the shorts and informed everyone, *"It's a gun."*

Detective [redacted] went over to the sofa/bed and unloaded the gun, which he described as a .22cal 2-shot derringer, loaded one with live round.

Detective [redacted] explained, *"And our belief was with the gun that he was trying to get that gun, he was going to kill us. The reason why we didn't shoot him*



is there were three or four of us, [redacted] *we were so close quarters if we did shoot him, the round may have exited and hit one of the deputies or hit* [redacted] *or -- and once our hands were on him, we were going to keep them on him until we got that -- get enough guys there to keep control of him."*

Detective [redacted] did not know if Sergeant Wilson was involved in the initial struggle, but, *"I remember hearing Russ say, 'Hit him on the legs. Hit him again. Take him down to the ground.' He's giving orders to the suspect to, you know, comply with us."*

Detective [redacted] said the suspect was still not handcuffed when he took the gun away, but he recalled Detective Delia having one set of handcuffs on his right wrist while someone else had another set of handcuffs on his left wrist.

Detective [redacted] said he dismissed the use of pepper spray (OC) because it would have adversely affected the deputies and [redacted] as well.